IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO. 481 OF 2006

Arvind Upadhye and Ors. ....Petitioners

Versus

The Security Guards Board for Greater Bombay and Thane Dists and Ors. ... Respondents.

Mr. Susheel Mahadeshwar with Ms. Ranjana Todankar for the petitioners.

Mr. M.S. Topkar for respondent No.1.

Mr. P.K. Rele for respondent No.2.

CORAM: **KSHITIJ R. VYAS, C.J.** &
S.C. DHARMADHIKARI, J.

DATE: **MARCH 03, 2006**.

P.C.

Rule. The learned counsel appearing on behalf of respondent Nos.1 and 2 waive service. Heard forthwith.

2. Petition filed by the petitioners seeks relief in accordance with the provisions of Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981 and the scheme framed thereunder. Different Benches of this Court have been passing the orders in such matters. One such order has been passed in Writ

Petition (Stamp)No. 49397 of 2002. Considering the said order, the following directions:_

(i) The statement on behalf of learned counsel for the petitioners is accepted that the petitioners would make appropriate application for getting registration with the Board. Such an application will be made within ten days from today. The Board to consider the same and take an appropriate decision in accordance with law, keeping in mind the provisions of the Act and the Scheme as amended from time to time.

(ii) The Respondent No.2 is also directed to apply for registration as required by law. Such an application should be made within ten days from today. On such application being made, the Board to take an appropraite decision thereon in accordance with law and thereafter the Board to follow the provisions of the Act and the scheme by supplying Security Guards.

(iii) It is needless to say that as far as possible, while alloting the service of the petitioners, the Board will keep in mind the fact that the petitioners were working with the second Respondent. The Board to try to accommodate them as far as possible.

(iv) The order of status quo, earlier passed, will continue till the disposal of the applications by the Board.

(v) It is made clear that it is always open to the employer to directly engage the guards in its employment.

CHIEF JUSTICE

S.C. DHARMADHIKARI, J.